

## IC ANNUAL FOIA REPORT FY 2018

**Please complete the following worksheet and return it to the NIH FOIA Office by 2:00pm, Thursday, October 18, 2018. NO EXTENSIONS WILL BE GRANTED**

### PART I - FOIA Contact Information

IC:

Name of Person Completing the Report: Earl Blansfield

Title: Government Information Specialist

Address: Bldg 31, Rm 2A32, Bethesda, MD Phone Number: 301-435-3457

### PART II – FOIA Request Data

- a. Number of FOIA requests pending at the end of FY 2017: 5 (This number was taken from the report you submitted last year)
- b. Number of FOIA requests received during FY 2018: 44
- c. Number of FOIA requests processed during FY 2018: 44
- d. Number of FOIA requests pending at the end of FY 2018: 5

**NOTE:  $a + b - c = d$**

### PART III - Cost Information

#### A. Personnel

- 1. How many full-time FOIA staff does your IC have: 1

NOTE: A “full-time FOIA employee” is a full-time employee or contractor who performs FOIA duties 100% of the time.

- 2. How many “Equivalent Full-Time FOIA Employees” work in your IC. **Provide this number in work years:** 0

**NOTE:** Employees or contractors performing less than full-time FOIA duties are either a) part-time employees who perform FOIA duties all, or part, of the time, or b) full-time employees who perform FOIA duties less than 100% of the time.

To determine the number in work years, ask everyone who does FOIA on a part-time or occasional basis to estimate the amount of time - in percents - they spend on FOIA related duties. Each 100% equals one full-time equivalent. You should include contractors if they are working on some aspect of FOIA.

**Example 1:**

Employee 1 – performs FOIA duties 20% of her time  
Employee 2 – performs FOIA duties 35% of his time  
Employee 3 – performs FOIA duties 75% of his time  
Employee 4 – performs FOIA duties 15% of her time

In this example, the FOIA duties of these employees equals 145% of the time ( $20 + 35 + 75 + 15 = 145$ ) and **this IC would report 1.45 in this section** ( $145/100 = 1.45$ )

**Example 2:**

Employees 1, 2, 3 and 4 – perform FOIA duties 50% of their time  
Employee 5 – performs FOIA duties 75% of his time  
Employee 6 – performs FOIA duties 10% of her time

In this example the FOIA duties of these employees equals 285 % ( $50 \times 4 + 75 + 10 =$  ) and **this IC would report 2.85 in this section** ( $285/100 = 2.85$ ).

3. Total number of “Full-Time FOIA Staff”   1   ( $1 + 2 = 3$ ).

**B. Costs**

1. Processing Costs - Cost to your IC for FOIA processing during FY 2017:  
\$95,139                     

**NOTE:** Add together all costs expended by your IC for processing FOIA requests at both the initial request and the administrative appeal level. **Include salaries of FOIA personnel, overhead and any other FOIA-related expenses.** Salary information can be calculated by multiplying the annual salary of the employee by the percentage of time spent on FOIA (necessary to complete Section A). If your IC has a budget for your office, that may be a good source for this information.

**\*\*Part IV should be completed and returned to the NIH FOIA Office no later than COB, Monday, October 22, 2018.\*\***

**\* Any reference to “agency” means “IC”**

PART IV –Pro-Active Disclosures (Timeframe: March 2017 – present) This information is for the Annual Chief FOIA Officer’s Report which is submitted to HHS in early December. These are the questions posed in the report. Please check with your Communications Office as well as any other offices that generally post information to collect as many examples as you can. The submission should explain what was posted succinctly and include the link.

### **Steps Taken to Increase Proactive Disclosures**

Both the [President’s](#) and [DOJ’s](#) FOIA memoranda focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received.

Please answer the following questions to describe the steps your agency has taken to increase the amount of material that is available on your agency websites. In addition to the questions below, you should also describe any additional steps taken by your agency to make and improve proactive disclosures of information.

#### **Posting Material:**

1. Describe your agency’s process or system for identifying “frequently requested” records that should be posted online. **The log is monitored by the FOIA Analyst for repeat requests. Records requested a third time are posted on the website after they are made 508 compliant. The cost and effort in making records 508 compliant prohibit our ability to post all released records. Other previously released documents are listed on the NICHD FOIA website and a copy can be requested through the NICHD FOIA Office.**

2. Does your agency have a distinct process or system in place to identify other records for proactive disclosure? If so, please describe your agency’s process or system. **NICHD does not have a distinct system in place. However, the topic is actively discussed between the FOIA Office and Communications Branch if and/or when there appears to be a need to proactively disclose information of high public interest.**

3. Has your agency encountered challenges that make it difficult to post records you otherwise would like to post? Yes

4. If so, briefly explain those challenges and how your agency is working to overcome them.

**The major challenge is time, cost, and nature of making files 508 compliant.**

5. Provide examples of material that your agency has proactively disclosed during the past reporting year, including links to the posted material. **None during the past year.**

6. Did your agency use any means to publicize or highlight important proactive disclosures for public awareness? **No** If yes, please describe these efforts.

#### **Other Initiatives:**

7. If there are any other steps your agency has taken to improve proactive disclosures, please describe them here. For example, has your agency engaged requesters in determining how and what to post? Has your agency used web analytics to inform your proactive disclosures?

#### **Steps Taken to Greater Utilize Technology**

A key component of the President's [FOIA Memorandum](#) was the direction to "use modern technology to inform citizens about what is known and done by their Government." In addition to using the internet to make proactive disclosures, agencies should also be exploring ways to utilize technology in responding to requests.

Please answer the following questions to describe how your agency is utilizing technology to improve its FOIA administration and the public's access to information. You should also include any additional information that describes your agency's efforts in this area.

#### **Making Material Posted Online More Useful:**

1. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website? **Steps include soliciting feedback on the content and presentation of posted material, improving search capabilities on your agency website, posting material in open formats, making information available through mobile applications, and providing explanatory material.**

2. If yes, please provide examples of such improvements. **The NICHD website is fully responsive, so it is easily accessible and usable from any device or platform, allowing more universal access to NICHD information on FOIA and other topics. We continue to produce web and social media content that provides information about the research we fund and the activities we support. Grant-related and other information is available both through the Institute website (i.e., funded projects are listed by fiscal year for each extramural Branch, such as at <https://www.nichd.nih.gov/about/org/der/branches/dbsvb/Pages/projects.aspx>) and through links that go to other sites, such as RePORTer and PubMed. Our FOIA webpage includes a FOIA-specific email address for those who want to submit comments or questions, and the website employs the Foresee survey to further solicit user comments. The Institute also**

**aimed for transparency during the development processes of activities, such as by issuing a Request for Information (RFIs) on a trans-NIH Research Plan on Rehabilitation.**

3. Have your agency's FOIA professionals interacted with other agency staff (such as technology specialists or public affairs or communications professionals) in order to identify if there are any new ways to post agency information online? **The FOIA Office remains part of the Office of Communications, meaning the entities work together on a daily basis. The Office of Communications also publishes information about Institute activities and research as videos, news releases, infographics, invited columns, and other means and utilizes social media to reach new audiences with information.**

#### **Use of Technology to Facilitate Processing of Requests:**

4. Did your agency conduct training for FOIA staff on any new processing tools during the reporting period, such as for a new case management system, or for search, redaction, or other processing tools? **No**

5. Beyond using technology to redact documents, is your agency taking steps to utilize more advanced technology to facilitate overall FOIA efficiency, such as improving record search capabilities, utilizing document sharing platforms for consultations and referrals, or employing software that can sort and de-duplicate documents? **No** If yes please describe:

- The technological improvements being made.
- The impact of using these technologies on your agency's request processing.

6. Are there additional tools that could be utilized by your agency to create further efficiencies?

**This area will be addressed during the HHS FOIA Optimization.**